

REMARKS

Claims 15, 17-20, 22, 26-27, 30-39, 42, and 44-52 are currently pending in the application. By virtue of this amendment, claims 15, 19, 30-31, 34, 39, and 46-47 have been amended and new claim 52 has been added.

Priority

The Examiner notes that Applicants referenced continuity to 08/479,337 as a continuation in part of 08/082,689. As correctly noted by the Examiner, Applicants intended to refer to 08/479,339 and not to 08/479,337. Applicants have amended the specification to correct this typographical error and refer to the correct application. Therefore, the oldest effective filing date of this application is June 25, 1993, which is the filing date of the 08/082,689 application.

35 U.S.C. §112 Rejections

Claims 15, 17-20, 22, 26-27, 30-39, 42, and 44-51 stand rejected under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement for use of the term “photopolymerizable.”

Applicants believe that term “photopolymerizable” and the term “photocurable” have similar meanings to one skilled in the art and can thus be used interchangeably. However, in order to advance prosecution, Applicants have replaced the term “photopolymerizable” with the term “photocurable” in the claims. The term “photocurable” is used throughout the specification, including, for example, at page 2, lines 10-32 and at page 10, lines 15-19. Reconsideration and withdrawal of the rejection of claims 15, 17-20, 22, 26-27, 30-39, 42, and 44-51 under 35 U.S.C. §112, first paragraph is respectfully requested.

Claims 15, 17-20, 22, and 26-27 stand rejected under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement because the term “infrared” is not used in the original specification or claims. In response, Applicants

have amended claim 15 to refer to laser radiation, not to infrared radiation. This change was also made in related application Serial Number 09/921,589, and was found to be acceptable by the Examiner. Reconsideration and withdrawal of the rejection of claims 15, 17-20, 22, and 26-27 under 35 U.S.C. §112, first paragraph is respectfully requested.

Declaration of Rustom Kanga

Examiner notes that the Exhibits A through G attached to the Declaration of Rustom Kanga (hereinafter the "Decl. of Kanga") were not filed with any exhibit tags and cannot be identified as such. Applicants regret any inconvenience to the Examiner from this oversight and are submitting concurrently herewith another copy of the Decl. of Kanga with Exhibits A through G marked accordingly.

The Examiner asserts that the Decl. of Kanga is insufficient to support infrared lasers, but the Examiner notes that she accepts that an ablation layer ablatable with a laser of sufficient wavelength and power is supported by the Decl. of Kanga. As noted above, Applicants have amended claim 15 to refer simply to laser radiation and not to infrared radiation which Applicants believe addresses the concerns noted by the Examiner.

35 U.S.C. §102(e)/35 U.S.C. §103(a) rejection

Claims 15-20 and 25-27 stand rejected under 35 U.S.C. §102(e) as being anticipated by, or in the alternative under 35 U.S.C. §103(a) as being unpatentable over Fan (6,238,837). The Examiner maintains that the only support for instant claims 15-20 and 25-27 in their current breadth is the date of submission of the amendment (August 13, 2001) and that Fan is thus available as prior art where support was not found in the application as filed.

Claim 15 has been amended to refer to a photocurable layer instead of a photopolymerizable layer and to refer to laser radiation instead of infrared radiation. It is believed that these amendments to claim 15 are fully supported by the specification and that the terms are adequately defined in parent application Serial Number 08/082,689.

Therefore, it is believed that the subject matter of claim 15, as amended, is fully supported by the disclosure of 08/082,689 originally filed on June 25, 1993 and thus has an effective filing date of June 25, 1993. Thus, Fan is not available as prior art against the claims as amended.

Reconsideration and withdrawal of the rejection of claims 15-20 and 25-27 under 35 U.S.C. §102(e) and/or under 35 U.S.C. §103(a) over Fan (6,238,837) is respectfully requested.

35 U.S.C. §103 Rejection

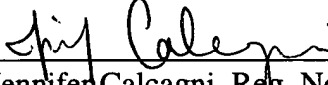
Claims 15 and 16 stand rejected under 35 U.S.C. §103 as being unpatentable over Scott Paper Company in view of the Murphy Declaration and further in view of Law et al. In view of the amendments made to claim 15, Applicants believe that this rejection has been mooted.

Conclusion

Applicant believes that the foregoing is a complete response to all of the objections and rejections raised by the Examiner and that the claims of the instant application are now in condition for allowance. Accordingly, an indication of allowability and an early Notice of Allowance is respectfully requested.

If the Examiner feels that a telephonic interview would be helpful, she is requested to contact the undersigned at (203) 575-2648.

Respectfully Submitted,


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